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UNCLAS SECTION 01 OF 02 KUALA LUMPUR 001073

SENSITIVE  
SIPDIS

FOR EAP/MTS, EAP/RSP, AND G/TIP

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TAGS: [PREL](#) [PHUM](#) [KTIP](#) [KCRM](#) [KJUS](#) [MY](#)

SUBJECT: MALAYSIA SEEKS USG EXPERTISE ON COMBATING TIP

REF: A. KUALA LUMPUR 1017 - INTERIM TIP ASSESSMENT  
    1B. KUALA LUMPUR 1010 - DEPUTY PRIME MINISTER HEARS  
        TIP CONCERNS  
    1C. KUALA LUMPUR 955 - NEW TIP SECRETARIAT  
    1D. KUALA LUMPUR 934 - AMBASSADOR'S LETTERS  
    1E. KUALA LUMPUR 880 - TIP ACTION PLAN DELIVERED  
    1F. KUALA LUMPUR 799 - STAFFDEL DISCUSSES  
        TRAFFICKING OF BURMESE  
    1G. KUALA LUMPUR 653 - AMBASSADOR MEETS HUMAN  
        RESOURCE MINISTER  
    1H. KUALA LUMPUR 448 - AMBASSADOR MEETS WOMEN'S  
        MINISTER  
    1I. KUALA LUMPUR 392 - AMBASSADOR MEETS WITH AG  
    1J. 07 KUALA LUMPUR 01568 - GOM UPDATES ON TIP  
    1K. REQUESTS TRAINING  
    1L. EMAIL GALLEGTO TO BISCHOF 12 NOV 2008 - MEETING  
        WITH AG OFFICIALS

#### SUMMARY AND COMMENT

1. (SBU) Government of Malaysia (GOM) ministries and agencies with responsibility for combating trafficking in persons (TIP) in recent months have increasingly requested U.S. expertise to guide policy and build GOM's anti-TIP capacity in the framework of Malaysia's comprehensive anti-trafficking law. The GOM is able and willing to fund training events, but GOM requests have been limited to U.S. experts. The expertise sought by the GOM includes TIP victim identification; victim counseling, shelter operations, and best practices in investigating, prosecuting, and judging criminal cases against traffickers. Action request: Post requests the Department and relevant agencies identify ways in which the USG can provide relevant expertise.

2. (SBU) Comment: The GOM's current interest in accepting U.S. expertise and sharing TIP information represents an advance in our efforts to re-engage the GOM on TIP following the June 2007 Tier 3 ranking. Sharing U.S. expertise with Malaysia would provide important benefits to U.S. anti-trafficking goals by providing guidance to Malaysia on enforcement of the TIP law while still at an early stage, increasing Malaysian anti-trafficking skills, and building U.S. contacts with anti-TIP agencies. End Summary and Comment.

#### GOM Responds Positively to Embassy's Efforts

3. (SBU) Malaysia's comprehensive anti-trafficking in persons law came into full force on February 28, 2008. Since then, GOM agencies have increasingly focused on capacity building in order to be able to enforce the law. In recent months, we witnessed a shift in GOM willingness to share information on implementation issues and training needs. Over the past six weeks, Polcouns and Poloff conducted a

series of meetings with GOM officials, including with the new TIP Secretariat (on October 23), Women's Ministry (on November 11 and 17), and the Attorney General's Office (November 12 and 15). Carol Chew, Private Secretary to the Women's Minister, told Poloff that ministries now have official permission to share more information on GOM efforts to combat TIP and to seek and/or accept USG offers to provide subject matter experts on TIP.

14. (SBU) Mohamed Yusof, Head of Prosecution Division in the Attorney General's Office (AGO), told Polcouns the AGO sought U.S. expertise for training prosecutors and judges. The AGO hosted an inter-agency seminar on TIP November 14-16, during which Poloff made a presentation on U.S. best practices and the AGO screened two TIP videos (MTV's EXIT video for Southeast Asia and the G/TIP video "Not My Life") that Post provided. FSN Political Assistant observed a Royal Malaysian Police (RMP) TIP workshop held 28-30 October, during which police officials inquired about available training from U.S. experts. Police have made similar requests to Legatt. Under Secretary Ahmad Ismail, head of the new TIP Secretariat in the Home Ministry, informed Polcouns and Poloff during an October 23 meeting the GOM was interested in working with us to build GOM capacity to combat TIP.

#### Priorities

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15. (SBU) GOM ministries and departments tasked with combating TIP face many challenges, including identifying and assisting victims, building capacity, changing operational paradigms, and raising awareness regarding TIP crimes and the

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new law. Based on GOM requests and our experience, we summarize below the training priorities for the Malaysian government for which U.S. expertise would be highly beneficial.

-- Victim Identification: Malaysia's law enforcement agencies, the AGO, and Women's Ministry all requested experts on TIP victim identification. The AGO specifically asked for subject matter experts for its magistrates, who are responsible for certifying a TIP victim. Providing experts on topics like initial screening methods and follow-up interviews would address existing gaps in key proficiencies.

-- Investigation: GOM representatives repeatedly told Emboffs that law enforcement agencies lack the experience to conduct TIP investigations. Experts able to provide training on TIP investigative techniques and best practices could help provide fundamental skills required for successful arrests and future prosecutions.

-- Prosecution: Current prosecutions are witness dependent and not evidence-driven. Experts that can provide expanded methods and strategies for successfully prosecuting TIP cases are essential to Malaysia's efforts in combating trafficking.

-- Victim Services: The Women's Ministry is interested in training from experts on operating TIP shelters and providing basic services and counseling to TIP victims. The ministry recently opened a shelter in East Malaysia and plans to open additional shelters. Having subject matter experts provide the requested training could facilitate the training of current and future ministry officers dedicated to combating TIP.

14. (SBU) The training sought focuses on effectively implementing the anti-TIP law and getting Malaysia up to international standards. From our conversations with GOM representatives, we clearly share the same objective. Senior officials, such as Attorney General Gani, also seek to change existing paradigms so that officials understand the dynamics of trafficking and are better able to engage the issue.

## Action Request

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15. (SBU) Post requests the Department and relevant Washington agencies identify ways in which the USG can meet GOM requests for U.S. expertise and thereby strengthen Malaysia's anti-TIP policies and actions.

KEITH